

U.S. ENVIRONMENTAL PROTECTION AGENCY-REGION 6
ADMINISTRATIVE COMPLIANCE ORDER
In the Matter of Devon Gas Services, L.P., Respondent
Docket No. CAA-06-2010-3312

STATUTORY AUTHORITY

The following findings are made and Administrative Compliance Order (Order) issued under the authority vested in the Administrator of the United States Environmental Protection Agency (EPA), by Section 113(a)(3) of the Clean Air Act (Act), 42 U.S.C. § 7413(a)(3). The Administrator has delegated the authority to issue this Order to the Regional Administrator of EPA Region 6 who has further delegated such authority to the Director of the Compliance Assurance and Enforcement Division.

FINDINGS

1. Respondent, Energy Transfer Company Texas Pipeline Ltd., is a "person" as defined by Section 302(e) of the Act, 42 U.S.C. § 7602(e).
2. At all times relevant to the violation alleged herein (relevant time period), Respondent operated a natural gas processing facility (Godley Gas Plant) located in Godley, Johnson County, Texas (the "Facility").
3. The Facility is a "stationary source" as defined by Section 112(r)(2)(C) of the Act, 42 U.S.C. 7412(r)(2)(C).
4. On August 19, 2010, EPA inspectors observed an unpermitted release of pollutants from two (2) engine/compressor packing vents (unit identification nos. C-10 and C-11) utilizing the FLIR® Gas Finder Infrared Camera.
5. Based on information in the Title V Permit, the Facility Gas Analysis, and utilizing the FLIR® Gas Finder Infrared Camera, the EPA inspectors determined that the unpermitted release of pollutants described in paragraph (four) 4 contained methane.
6. Methane is described as highly flammable/explosive in the Material Safety Data Sheet as provided by the Facility.
7. An extremely hazardous substance under Section 112(r) of the Act, 42 U.S.C. § 7412(r) includes, but is not limited to, methane. The engine/compressor packing vents are not an appropriate source for fugitive emissions and are potentially subject to explosive levels of methane.
8. Section 112(r)(1) of the Act, 42 U.S.C. § 7412(r)(1), requires owners and operators to design and maintain a safe facility, taking such steps as are necessary to prevent releases of extremely hazardous substances.
9. On August 19, 2010, Respondent released an unpermitted emission containing methane into the ambient air from a stationary source in violation of Section 112(r)(1) of the Clean Air Act (Act), 42 U.S.C. § 7412(r)(1).

ORDER

Based on these findings and pursuant to the authority of Section 113(a)(3) of the Act, 42 U.S.C. § 7413(a)(3), EPA orders that Respondent take the following actions upon receipt of this Order:

1. Fix, repair, or replace the leaking components that led to the unpermitted release of an extremely hazardous substance as described in paragraph (four) 4, upon receipt of this Order.
2. Within fifteen (15) days of the effective date of this Order, Respondent shall provide written certification to the EPA, Region 6, that these activities have been completed.


GENERAL PROVISIONS

Issuance of this Order shall not be deemed an election by EPA to waive any administrative, judicial, civil or criminal action to seek penalties, fines or other relief under the Act for the violation alleged herein or other violations which may become known to EPA. EPA reserves the right to seek any remedy available under the law which it deems appropriate.

Failure to comply with this Order or the Act may result in the initiation of an administrative penalty action by EPA or a civil judicial penalty action by the U.S. Department of Justice.

Compliance with this Order does not relieve Respondent of its obligation to comply with all applicable federal, state and local laws.

Date

8/24/10

John Blevins
Director
Compliance Assurance and
Enforcement Division